



Paper 12

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**OFFICE OF PETITIONS**

In re Application of  
Jerry Joseph Quinn  
Application No. 09/854,891  
Filed: May 14, 2001  
Attorney Docket No. 52466.002

ON PETITION

This is a decision on the petition, filed September 7, 2005 under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned September 3, 2003 for failure to timely reply to the final Office Action mailed June 2, 2003. An amendment, filed October 7, 2003, was considered and the applicant was advised in an advisory action mailed October 29, 2003, that the amendment did not place the application in condition for allowance. Accordingly, a Notice of Abandonment was mailed December 30, 2003.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) the required reply (unless previously filed), which may be met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof;

(2) the petition fee required by 37 CFR 1.17(l);

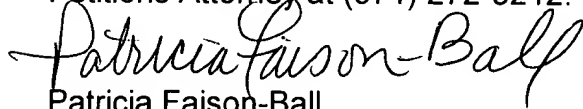
(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) a terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) in a design application, a utility application filed before June 8, 1995, or a plant application filed before June 8, 1995.

A Request for Continued Examination (RCE) and an amendment have been submitted in response to the Final Office action and in compliance with 37 CFR 1.114. The RCE fee has been applied.

The application is being forwarded to Technology Center 1743 for processing of the RCE and amendment.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in cursive script, reading "Patricia Faison-Ball".

Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions